

the 8 day of October, 2003  
TESTE: LILLIE M. HART, CLERK 3:50pm  
By [Signature] D.C.

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

COMMONWEALTH OF VIRGINIA,	)	
	)	CR 03-3089
	)	CR 03-3090
v.	)	CR 03-3091
	)	Hon. Jane Marum Roush
	)	
LEE BOYD MALVO,	)	
Defendant.	)	

**NOTICE OF MOTION TO EXCLUDE STATEMENTS MADE BY DEFENDANT  
DURING INTERROGATION ON NOVEMBER 7TH, 2002**

PLEASE TAKE NOTICE that on October 22, 2003 at 10:00 a.m. or as soon thereafter as possible Lee Boyd Malvo, by and through his counsel, will move this Honorable Court to grant the Motion to Exclude Statements Made by the Defendant During Interrogation on November 7<sup>th</sup>, 2002.

Respectfully Submitted,

LEE BOYD MALVO  
By Counsel

MARTIN. ARIF. PETROVICH & WALSH

By: \_\_\_\_\_  
Michael S. Arif, Esquire  
for Craig Cooley, Esquire  
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Springfield, VA 22151  
(703) 323-1200  
FAX (703) 978-1040  
Counsel for Defendant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT true and accurate copies of the foregoing Notice and Motion were hand-delivered to Robert F. Horan, Esq., Commonwealth's Attorney, on this the 8<sup>th</sup> day of October, 2003.

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